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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,329	02/11/2004	Checraallah Kachouh	740116-506	8546

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NIXON PEABODY, LLP
401 9TH STREET, NW
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WASHINGTON, DC 20004-2128

EXAMINER

SHRIVER II, JAMES A

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/775,329	Applicant(s) KACHOUH, CHECRALLAH	
	Examiner J. Allen Shriver	Art Unit 3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/11/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the elements required by claims 4 and 20 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-3, 8-9, 12-16 and 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Jakel et al. (US Patent 6,441,512 B1).** Jakel et al. discloses a motor vehicle door (101) comprising a door body, a door lock unit (103) having mechanical latching elements located on an edge side of the door body (See Fig. 1); an opening drive (114) for unlatching the latching elements; a mechanical inside actuating element (112) for emergency mechanical unlatching of the latching elements, said mechanical inside actuating element being mechanically connected to the door lock unit, and an electrical inside actuating element (105) for normal operational triggering of the opening drive for unlatching the latching elements, said electrical inside actuating element being connected by electrical-control technology to the opening drive (See Fig. 1); wherein the mechanical inside actuating element is located on an inner side of the door body in the immediate vicinity of the door lock unit; **[claims 2 and 15]** wherein the mechanical inside actuating element is connected substantially directly to an inside actuating lever of the door lock unit; **[claims 3 and 16]** wherein the mechanical inside actuating element is formed as part of the door lock unit; **[claim 8]** wherein the electrical inside actuating element is located in the interior of the motor vehicle; **[claim 9]** wherein the electrical inside actuating element is located at a location which is easily accessible and detectable for the user; **[claim 12]**

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wherein the opening drive is an electrical opening drive for unlatching the latching elements;

[claim 13] wherein the electrical inside actuating element is located on an inner side of the motor vehicle door.

Regarding claim 21, Jakel et al. discloses the motor vehicle locking system as set forth above, including the electrical inside actuating element being connected to the opening drive by electrical-control technology in a manner enabling the electrical inside actuating element to be deactivated in a locked state and to re-activated by unlocking, wherein the electrical inside actuating element which has been deactivated in the locked state causes unlocking upon a first actuation thereof and upon a second interior side actuation thereof causes electrical triggering of the opening drive for unlatching elements of the door lock unit; **[claim 22]** wherein the opening drive is integrated into the door lock unit.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jakel et al. (US Patent 6,441,512 B1) in view of Examiner's Official Notice.** Jakel et al. discloses the motor vehicle door as set forth above, but does not specifically disclose wherein the mechanical inside actuating element is formed of plastic. Examiner takes Official Notice that it is notoriously old and well known that inside vehicle door handles are commonly formed of

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plastic. At the time of the invention, it would have been obvious to a person of ordinary skill in this art to form the mechanical inside actuating element disclosed in Jakel et al. from plastic in order to reduce the weight of the door handles.

5. **Claims 6-7, 10-11 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jakel et al. (US Patent 6,441,512 B1) in view of Burnell-Jones (US Patent 6,599,444 B2).** Jackel et al. discloses the motor vehicle door as set forth above, but does not disclose wherein the mechanical inside actuating element is at least one of painted in a conspicuous color, marked with a conspicuous color and conspicuously labeled and is made easily recognizable by at least one of fluorescence effects and illumination. Burnell-Jones discloses providing a luminescent get coat on door handles (See column 38, lines 28-49). At the time of the invention, it would have been obvious to a person of ordinary skill in this art to provide a luminescent gel coat on the door handle disclosed in Jakel et al. in view of the teaching of Burnell-Jones. The motivation for doing so would have been to allow the door handle to be visible in a low light situation.

6. **Claims 4 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jakel et al. (US Patent 6,441,512 B1) in view of Applicant's admitted prior art.** Jakel et al. discloses the motor vehicle door as set forth above, but does not disclose wherein the door lock unit has a section adjoining a partition between a wet space of the door body and a dry space of the door body, and wherein the mechanical inside actuating element passes through a passage opening to the inside of the door in the area of the partition, a seal being formed around the opening. In Applicant's Specification, paragraph 0022, Applicant admits that U.S. Patent 6,135,778 discloses this technique and that this technique can be used with Applicant's present

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invention. Therefore, based on Applicant's admission, it would have been obvious to a person of ordinary skill in this art to provide a door lock unit having a section adjoining a partition between a wet space of the door body and a dry space of the door body, and wherein the mechanical inside actuating element passes through a passage opening to the inside of the door in the area of the partition, a seal being formed around the opening.

Conclusion

7. The prior art made of record in the accompanying PTO Form 892 and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Allen Shriver whose telephone number is (571) 272-6698. The examiner can normally be reached on Monday, Wednesday and Thursday 5:30 am-5:00 pm and Tuesday 5:30 am-11:00 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris P. Ellis can be reached on (571) 272-6914. Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-1113.

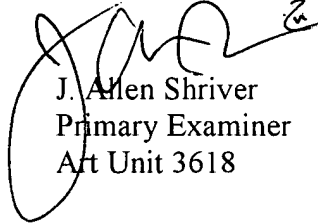
As of May 1, 2003, any response to this action should be mailed to:

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to: (571) 273-8300 (for formal communications intended for entry). (571) 273-6698 (for informal communications directly to the Examiner).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free):



J. Allen Shriver
Primary Examiner
Art Unit 3618

JAS